



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/409,831	09/30/1999	VINCENT P. FOX	EN999063	5935

7590 12/23/2003

JOHN R PIVNICHNY
IBM CORPORATION DEPT
N50 BLDG 40 4
1701 NORTH STREET
ENDICOTT, NY 13760

EXAMINER

BORISSOV, IGOR N

ART UNIT	PAPER NUMBER
----------	--------------

3629

DATE MAILED: 12/23/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/409,831

Applicant(s)

FOX ET AL.

Examiner

Igor Borissov

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. | 6) <input type="checkbox"/> Other: _____. |

DETAILED ACTION

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 20-23 and 28 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per claims 20-23, they are confusing because claims 20-23 appear to describe method steps while refer to a system.

As per claim 28, it is confusing because claim 28 appears to describe a computer executable process while refer to a computer program product.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama (U. S. 4,851,999) in view of publication Three Way Match Requirement for All Procurement Component Payment by Minnesota Departments of Finance and Administration.

Art Unit: 3629

Moriyama teaches general-purpose management method and system, comprising:

As per claims 10, 14, 15, 21, 24 and 27,
providing one or more unmatched invoices (column 3, lines 30-51);
periodically inquiring to determine if a new goods received receipt (GRA)
is present (column 3, lines 40-47);
performing logical operations (column 3, lines 40-47).

Moriyama does not specifically teach that the logical operations include performing a logical three-way match between each invoices, goods received receipts and purchase orders.

The publication Three Way Match Requirement for All Procurement Component Payment by Minnesota Departments of Finance and Administration, which appears to be published on June 29, 1995 (hereafter referred as Three Way Match Requirement), teaches the three way match process comprising a logical three-way match between each invoice, one or more goods received receipts, and one or more purchase orders, and wherein said logical three-way match is performed by comparing a GRR number on each said invoice with a GRR number on said one or more GRR, a unit price on said one or more GRR with a unit price on each said invoice, and a quantity on each said invoice with a quantity on said one or more GRR, and wherein an equal comparison of either said GRR number, or said unit price, or said quantity shall constitute said match was found, including generating logical results of said three-way match (See entire reference).

Art Unit: 3629

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama by adding the three way match process capability, because it would increase the efficiency of the system by allowing to process all procurement component payments regardless what was received first: the packing slip or invoice.

Also, Moriyama teaches:

As per claims 12, 16, 22, 25 and 28, said method and system, comprising transferring a matched invoice and the logical result to the database (column 3, lines 40-47).

As per claims 13, 20, 23, 26 and 29, said method and system, comprising storing purchase orders in the database (column 3, lines 42-51).

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and Three Way Match Requirement .

As per claim 11, Moriyama and Three Way Match Requirement teach all the limitations of claim 11, except for removing an unmatched invoice after a predetermined period of time.

It would have been an obvious matter of design choice at the time the invention was made to modify Moriyama and Three Way Match Requirement to include removing an unmatched invoice after a predetermined period of time, because it appears that the claimed features do not distinguish the invention over similar features in the prior art, and the teachings of Moriyama and Three Way Match Requirement would perform the invention as claimed by the applicant either with or without removing the unmatched invoices.

Art Unit: 3629

Claims 17 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and Three Way Match Requirement in view of Call (U. S. 5,913,210).

As per claims 17 and 18, Moriyama and Three Way Match Requirement teach all the limitations of claims 17 and 18, except that said entry means are provided via EDI 850.

Call teaches a method and apparatus for disseminating product information via Internet comprising a mechanism for exchanging business documents in standard format between computers, such as Electronic Data Interchange (EDI). For example, EDI 850 purchase order transaction can be implemented (column 12, lines 1-16).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and Three Way Match Requirement by including means for electronic entry via EDI 850, because it would decrease processing time per order and, thereby, decrease cost to operate the system.

Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Moriyama and Three Way Match Requirement in view of Remington et al. (U. S. 6,070,150).

As per claim 19, Moriyama and Three Way Match Requirement teach all the limitations of claim 19, except that said database tool is SAP.

Art Unit: 3629

Remington et al. teach electronic bill presentment and payment system employing SAP as bill analysis and business accounting software (column 13, lines 60-67; column 14, line 1).

It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Moriyama and Three Way Match Requirement by adding SAP as database tool, because it would decrease processing time per order as well as increase the adaptability and reliability of said system.

Conclusion

Any inquiry concerning this communication should be directed to Igor Borissov at telephone number (703) 305-4649.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 872-9306.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Supervisor, John Weiss, can be reached at (703) 308- 2702.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington D.C. 20231

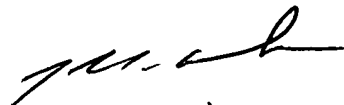
or faxed to:

(703) 872-9306 [Official communications; including After Final
communications labeled "Box AF"]

Art Unit: 3629

Hand delivered responses should be brought to Crystal Park 5, 2451
Crystal Drive, Arlington, VA, 7th floor receptionist.

JB



JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600